

RUSSIANS LOCK VON DER GOLTZ IN FATED ERZERUM

Sultan Reported Ready to
Abandon Caucasus Capital—80,000 Men Shut In
CORPS RUSHED TO RESCUE

LONDON, Feb. 2.—The Turkish army is reported to be ready to abandon the city of Erzerum, the capital of the Caucasus, and to retreat to the south. The Russian army is reported to be ready to enter the city and to capture it. The Russian army is reported to be ready to enter the city and to capture it. The Russian army is reported to be ready to enter the city and to capture it.

APPAM MUST LEAVE AT ONCE OR INTERN, SAYS JOHN F. LEWIS

Authority on Maritime Law
Says Duty of U. S. May Seem
Unfair to Germans, but Is
Not Really So

DIFFERS FROM EDMUNDS

The duty of the United States in the case of the British liner Appam, if that vessel, which was brought to Norfolk by a German prize crew, is regarded as a prize, should be clear, in the opinion of John Frederick Lewis, an attorney, who is considered an authority on the maritime law of nations.

"Article 21, of The Hague Convention of 1907, provides that a prize may only be brought into a neutral port on account of unseaworthiness, stress of weather, or want of fuel or provisions, and that it must leave as soon as the circumstances which justified its entry are at an end, and that if it does not leave, the neutral Power must order it to leave at once, and should it fail to obey, the neutral Power must employ the means at its disposal to release it with its officers and crew and to intern the prize crew," said Mr. Lewis today.

DUTY OF UNITED STATES.
"Hence it is clear that if the Appam was not brought to Norfolk on account of unseaworthiness, stress of weather, or want of fuel or provisions, but simply as a matter of convenience or as the most desirable port to which to bring her, the American Government must order her to leave at once, and should she fail to leave, the American Government should take possession of her and release her officers and crew and passengers, and intern her German prize crew."

"THIS COUNTRY'S POSITION."
"This may seem to be treating Germany unfairly, but the historical position of the United States as a neutral Power, irrespective of The Hague convention, has always been to refuse belligerents to treat its ports as convenient depositories for prizes taken upon the high seas, and the American Government would be aiding and abetting any nation in permitting that nation to carry on operations of this kind by allowing the belligerent to send prizes to her own home ports or to the ports of her allies."

"The underlying idea of neutrality is to treat the cause of each belligerent as just; that is, the American Government is not called on to decide whether England and her allies, or Germany and hers, are right or are wrong in the present great conflict, but is required by international law to act irrespective of the cause of the war, and solely as its duty as a neutral nation requires."

"At the Hague conference of 1907, it was suggested that a neutral power might allow prizes to enter its ports and roadsteads, whether under convoy or not, when they were brought there to be sequestered pending the decision of a prize court, but this provision was not generally accepted by the signatory powers, and the duty of the United States Government, whether considered according to her traditional position prior to the Hague Convention or according to the terms of that convention, is the same."

"If the Appam be regarded as a German warship, which seems to be the intention of her captor when he altered her name to Appam, then she will be required to leave Norfolk or to intern for the war."

"In your opinion, why did Berge bring the Appam to Norfolk?" Mr. Lewis was asked.

"Probably one of the reasons why Lieutenant Berge and his prize crew brought the British liner Appam into Norfolk was the desire to avoid international complications, due to the fact that among the passengers on the Appam there are probably many subjects of neutral nations, and it is sincerely to be hoped that the German commander was prompted by the claims of that greater humanity which should characterize all belligerents in time of war, when he concluded to send the Appam to Norfolk instead of sinking her at sea."

EDMUNDS' OPINION.
Henry R. Edmunds, an authority on admiralty law, has been quoted as having said that he believed the Appam would come under the head of prize seizures and that the German Government could appeal to our prize courts to settle the matter of the ownership of the vessel.

Mr. Lewis was asked whether the courts of the United States sitting at Norfolk would be likely to pass upon the status of the ship and the rights of her captors, and he replied that in his opinion the courts of the United States would not take jurisdiction. He regretted to differ with the view expressed by Mr. Edmunds, but questions of prize or no prize are always determined by the court of the nation which captures a vessel or by the courts of that nation's allies, and not by the courts of a neutral Power, he said.

"It is manifestly undesirable that the American courts should pass upon the matter, because if they decided in favor of Germany the decision would provoke the enmity of England, and if they decided in favor of England the decision would provoke the enmity of Germany," said Mr. Lewis.

RUSSIAN DRIVE INTO TURKEY



The Grand Duke Nicholas' armies are spreading fanlike from the Caucasus into the valley of the Tigris in three main divisions. One has forced the Turks back to Erzerum, while the centre is attacking the enemy in the region of Mush. A third Russian army is pouring across Persia in an effort to relieve the British Mesopotamian expedition, which was last reported to be in peril at Kut-el-Amara.

GERMANY TO ASK RELEASE OF APPAM UNDER PACT OF 1799

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prize crew, but as combatants their internment is also under consideration.

"That the British Government will immediately make representations for release of the Appam is expected. Ambassador Lansing, met last night and yesterday, is exchanging cables with his Foreign Office today to secure instructions."

Vigorous protest against any order returning the Appam to England is forecast today at the German Embassy.

Between the two diplomatic lines the American Government today proceeded slowly and gingerly among the boundaries of maritime law. Officials indicate that weeks may elapse before a final decision is reached.

Sir Cecil Spring-Rice, the British Ambassador, had a long conference with Secretary Lansing at the State Department this afternoon regarding the disposition to be made of the British subjects aboard the vessel. Sir Cecil told the Secretary that he is anxious to secure their release immediately, and the Department of Labor was enlisted to expedite the matter.

An effort will be made to have all on board released late today, the British Embassy taking care of the subjects and the German Embassy looking out for the Appam's captors.

BRITAIN WILL DEMAND RELEASE OF SEIZED SHIP

Carried Quarter-Million Dollars' Worth of Bullion, Is Report

LONDON, Feb. 2.—The British Foreign Office is expected to make formal demand upon the United States within the next 10 days for the surrender of the Elder-Dempster liner Appam, which was captured by a German sea raider and taken into Norfolk, Va., by a prize crew.

The report upon the Appam has already been made by the British Embassy at Washington.

In the meantime, the Admiralty is beginning an active search for the German

warship which captured the Appam. Swift cruisers which have been guarding the Strait of Gibraltar have been notified by wireless to comb the West African coast for the raider. French warships probably will aid in the quest.

It is believed that the Germans have been able to establish a secret naval base somewhere near the Canary Islands or upon the Spanish coast for the supplying of raiding vessels, including submarines.

A quarter of a million dollars' worth of bullion, in addition to other valuable cargo, was captured by the German commerce raiders who seized the British liner Appam, the Evening News reported this afternoon.

The bullion was being brought to England from Africa. The exact value of the rest of the Appam's cargo is not known, but it probably will mount into thousands of dollars.

News of the Appam's arrival at Norfolk brought joy to the relatives of passengers who had given her up as lost. Many wives of British officials aboard the liner today doffed the mourning they put on last week.

Officials of the Elder-Dempster Line are not certain that they will be able to regain possession of their vessel. The following statement was given out at the line's offices:

"It is impossible to say what the ultimate fate of the Appam will be. The Admiralty informs us that the case is one for adjudication by international law."

The utmost astonishment was expressed over the capture of the Appam by British newspapers. The press could not withhold a note of admiration for the daring of the German sailors who seized the British merchant ship and then sailed her across the Atlantic to the United States.

The Times says the incident is so important that it may affect the future conduct of the war.

"Even in the realms of fiction there are few more surprising stories of the sea," said the Daily Chronicle. "That such a feat should be possible after eighteen months of the war almost baffles imagination."

The Chronicle compared the activities of the German ship to those of the United States cruiser Alabama in the Civil War.

"A problem to be solved is where this new German auxiliary cruiser came from and where she got her armament," said the Chronicle. "The chasing of her down will be an easy matter. Possibly it will be found that she was equipped in a Turkish or Bulgarian port and escaped from the Mediterranean, flying a neutral flag."

"One of the most dramatic and remarkable incidents of the war," said the Daily Telegraph.

"The news will cause astonishment to millions," added the Daily Graphic.

BRITISH WARSHIPS ON GUARD TO BLOCK DASH BY APPAM

Commander of Raider Tight-Mouthed
Concerning Daring Exploit

NORFOLK, Va., Feb. 2.—While the British steamship Appam, now a German prize, swung at anchor today under the frowning guns of Fortress Monroe, British warships crowded close to the three-mile line of the Virginia coast with the watchfulness of grim bulldogs.

Although there is virtually no chance for the Appam to make a dash for the open, the patrolling British warships have increased their vigilance, determined that they shall not be caught napping again.

Gravity of the international aspects were emphasized by refusal of Collector Hamilton to go near the vessel. His port officials boarded her, but only in performance of perfunctory routine duties. All conferences are being held in Hamilton's office. Technically, she actually the Appam's decks are German "territory," and she is completely under German control.

Officials recalled that Collector Hamilton boarded both the Kronprinz Wilhelm and Prinz Eitel Friedrich, and their officials were permitted to land long before any official action was taken by the Washington authorities.

Lieutenant Berge, commander of the German prize crew which brought the Appam across the Atlantic from the Canary Islands, maintained a strict guard on his ship today and sentries, armed with carbines, patrolled the decks, allowing no one except officials to board or leave her.

Efforts to get further information from Lieutenant Berge as to the capture of the Appam and the sinking of seven other British merchant ships off the African coast were unavailing, but passengers on the prize declared that there was no doubt that the lonely raider was a German privateer named Mowe, which is supposed to have escaped from Kiel under the Swedish flag and then was armed at some secret base which the Germans have established on the Atlantic.

Somewhere upon the broad Atlantic this daring raider is still at large, bidding defiance to the boasted British control of the high seas.

All of the members of the German prize crew of 22 men were sworn to secrecy.

Lieutenant Berge, a slight, wiry man, whose straight thin lips are hidden beneath a closely cropped beard, snapped out a brisk negative when asked to give the story of the Mowe.

"I can only say that seven British ships were destroyed between January 10 and January 12, but that every precaution was taken to prevent loss of life," said Lieutenant Berge. "I was ordered to

bring the Appam into port—and here I am."

It was learned that at one time the Appam was so close to one of the British men-of-war patrolling the Virginia coast that it seemed impossible to avoid her, but skilful seamanship, aided by friendly fog, saved the Appam from imminent investigation.

Immigration Inspector Morton went aboard the Appam this morning to list up the various crews and arrange for their transfer to shore with such passengers as are found entitled to liberation. He said 75 of those aboard are without funds. The British Vice Consul is arranging to return the passengers and crews to England on board British ships in the harbor.

Many provisions were sent aboard. Passengers and the prisoner-crew helped in the stevedore work. It was said there were not enough provisions on hand to last today without replenishing and virtually no coal.

Prince Hatzfeld, counselor of the German Embassy, arrived at Old Point Comfort on this morning's boat from Washington to take charge of the German interests.

Apparently conclusive evidence that the German sea raider Mowe, which captured the British liner Appam and sank seven other British merchantmen, is not a part of the regular German navy, but a member of the naval auxiliary forces, was submitted today. Lieutenant Berge, commander of the prize crew in charge of the Appam, today produced a commission in the naval auxiliary reserve.

Other evidence that the Mowe is an auxiliary cruiser, formerly a German merchantman, although to be heavily armed, was the fact learned today that members of the 20 citizens composing the Appam's prize crew wear hatbands labeled "Mowe."

Among the prisoners on the vessel were five British army officers, two lieutenants, two sergeants and one color sergeant. Especially strict guard was kept upon them. Their presence makes another international complication.

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ZEPELINS RAID VITAL PARTS OF ENGLAND

Continued from Page One
of issuing this statement amount to 51 persons killed and 7 injured.

DROPPED 220 BOMBS.

The later communication says: Further reports of last night's raid show that the evening's air attacks covered a larger area than on any previous occasion. Bombs were dropped in Norfolk, Suffolk, Lincolnshire, Leicestershire, Staffordshire and Derbyshire, the number being estimated at 220.

Except in one part of Staffordshire, the material damage was not considerable and in no case was any military damage caused.

No further casualties have been reported.

By direction of the naval and military authorities, the police today ordered discontinuance of chimneys and the striking of hours by public clocks between sunset and sunrise, as a precautionary measure.

FRENCH SHELL GERMAN POSITIONS IN VOSGES

Berlin Reports Allies Beaten
Great Artillery Offensive at
Several Points

BERLIN, Feb. 2.—A tremendous bombardment of the German positions in Champagne and the Vosges has been opened by the French, according to an official report issued by the German War Office today.

Lena is again being shelled by the Allies, another French aeroplane has been shot down.

The text of the official statement: Enemy artillery is showing great activity in Champagne and also east of Die in the Vosges. Lena is again being shelled by the Allies. A French aeroplane has been shot down southwest of Chauney. The two occupants, both of whom were wounded, were made prisoners.

PARIS, Feb. 2.—French artillery blew a German munitions depot near Orbeville in the Soudernach region in Alsace, the War Office reported this afternoon. South of Orbeville the Germans captured a French observation post, but were afterward driven out by a counter attack.

MINERS' CONVENTION ENDS

White Will Seek Re-election to the
Presidency

INDIANAPOLIS, Feb. 2.—The 1222 delegates to the United Mine Workers of America convention were on their way home today, after having wound up one of the most successful conventions in the history of the organization.

By adjournment late yesterday the delegates voted to return to Indianapolis in 1917.

John P. White, president, announced he again would be in the race for the presidency at the December election.

Little change was made in the constitution, and the move to reduce the size of the convention was lost.

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